

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

IN RE:
PAUL EDWARD BROSS

Case No.: 6:19-bk-05871-CCJ
Chapter 13

Debtor. _____ /

OBJECTION BY CREDITOR TO CONFIRMATION OF PLAN

COMES NOW Secured Creditor, Ditech Financial LLC (Secured Creditor), by and through its undersigned counsel, and files this written objection to confirmation of Debtors' Proposed Chapter 13 Plan, pursuant to Bankruptcy Rules §3015(f), §9014 and all other applicable provisions of the Bankruptcy Code and as grounds therefor states:

1. On July 26, 2006, Debtor Paul Bross executed and delivered a Note ("Note") and a Mortgage ("Mortgage") securing payment of the Note in the amount of \$300,000.00 to SunTrust Mortgage, Inc. The Mortgage was recorded on August 4, 2006 in Book 5681, Page 2537 of the Public Records of Brevard County, Florida. The loan was transferred to Secured Creditor which granted Secured Creditor a first lien on the real property located at 265 Atlantic Dr., Melbourne Beach, FL 32951 the ("Subject Property") legally described as:

Lot 6, Block H, CRYSTAL LAKE SUBDIVISION FIRST ADDITION, according to the plat thereof, as recorded in Plat Book 13, Page 52, of the Public Records of Brevard County, Florida.

2. The amount Secured Creditor's claim as of the date of filing will be set forth in the Secured Creditor's Proof of Claim to be filed on or before the Claims Bar Date, November 18, 2019.

3. The Debtor's Plan provides for monthly payments to the Trustee in the amount of \$5,327.00 per month. However, the debtor's schedule J shows a net monthly income of \$925.00, which includes \$2,187.00 housing expenses. Therefore, the Plan is not feasible.

WHEREFORE, Secured Creditor respectfully requests that this Court sustain the objections stated herein and deny confirmation of the Debtor's Plan, and for such other and further relief as this Court deems just and proper.

DATED this 11th day of October 2019.

Respectfully submitted,

/S/ Seth Greenhill

Seth Greenhill, Esq.

Florida Bar # 97938

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Attorney for Creditor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy has been furnished to the parties on the attached Service List by electronic notice and/or by First Class U.S. Mail on this 11th day of October, 2019:

Respectfully submitted,
/S/ Seth Greenhill
Seth Greenhill, Esq.
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SERVICE LIST (CASE NO. 6:19-bk-05871-CCJ)

Debtor

Paul Edward Bross

997 South Wickham Road

West Melbourne, FL 32904

Trustee

Laurie K Weatherford

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Winter Park, FL 32790